

UNITED STATES BANKRUPTCY COURT
NORTHERN DISTRICT OF OHIO
EASTERN DIVISION

IN RE:

WORRELL, JAMES LEE, SR
WORRELL, CHARLENE ANN

Debtor(s).

CASE NO. 12-61021

CHAPTER 7

JUDGE RUSS KENDIG

MOTION FOR APPROVAL OF COMPROMISE AND SETTLEMENT OF CLAIMS

Now comes Lisa M. Barbacci, Trustee (“Trustee”), and hereby moves the court for an order authorizing and empowering the Trustee to compromise and settle the controversy existing between the bankruptcy estate(s) of James Lee Worrell and Charlene Ann Worrell (“Estate”), Defendant-Debtor, James Lee Worrell and Charlene Ann Worrell (“Debtor(s)”), and other possible parties, and, for cause, states as follows:

1. The Trustee commenced an investigation into the financial affairs of the Debtor(s).
2. Based upon such investigation, the Trustee concluded that the Debtor(s) used at least \$6,521.59 for preferences, gambling, vacations, and other possible fraudulent conveyances within 90 days of filing.
3. The Estate has a claim for at least \$6,521.59 for preferences and possible fraudulent conveyances prior to the filing of the above captioned bankruptcy.
4. The Trustee filed a complaint objecting to the Debtor(s)’ discharge under 11 U.S.C. §727(a)(2). See *Barbacci, Trustee v. Worrell*, et. al, Adv. Proc. No. 12-6128.
5. The Debtor(s), while continuing to dispute the merits of the Estate’s claims, have nevertheless offered to pay the Estate the sum of \$4,000 (“Payment”).
6. Upon receipt of the Payment, the Trustee will cause the complaint in Adversary Proceeding No. 12-6128 to be dismissed and enter a Notice of Payment in the main case, Case No. 12-61021.
7. The Debtor(s) further agree that if the Payment is not paid by April 30, 2014, the Court shall enter an Order denying the Debtor(s)’ discharge without further notice.

8. In light of the matters in controversy which includes a recognition of the potential of an unfavorable outcome and the anticipated costs associated with the litigation of these matters, the Trustee believes that acceptance of the settlement and compromise offer is in the best interests of the Estate and its creditors.

WHEREFORE, the Trustee prays that this Court enter an Order (i) granting this motion; (ii) authorizing and empowering the Trustee to accept the compromise and settlement of Debtor(s) whereby the Estate will be paid the sum of \$4,000; (iii) finding that the Discharge should be denied without further notice if Debtor(s) fail to make the Payment by April 30, 2014; (iv) directing the Trustee to submit an Order dismissing the Complaint in the Adversary Proceeding No. 12-6128 and Notice of Payment in the instant bankruptcy case when the Payment is paid; and (v) granting any and all other relief the Court deems just and proper.

Respectfully submitted,

/s/Lisa M. Barbacci

Lisa M. Barbacci (0039392)

P.O. Box 1299

Medina, Ohio 44258-1299

Telephone: 330-722-4488

Email: barbaccitrustee@gmail.com

CHAPTER 7 TRUSTEE

NOTICE OF TRUSTEE'S MOTION

LISA M. BARBACCI, Chapter 7 Trustee, has filed papers with the court for the compromise and settlement of claims.

Your rights may be affected. You should read these papers carefully and discuss them with your attorney, if you have one in this bankruptcy case. (If you do not have an attorney, you may wish to consult one.)

If you do not want the court to authorize this motion, or if you want the court to consider your views on the Motion, then on or before **November 14, 2013**, you or your attorney must:

File with the court a written request for a hearing at:

Clerk of Courts
U. S. Bankruptcy Court
Ralph Regula Federal Building and United States Courthouse
401 McKinley Ave SW
Canton, OH 44702-1745

If you mail your request to the court for filing, you must mail it early enough so the court will **receive** it on or before the date stated above.

You must also mail a copy to:

Lisa M. Barbacci
Chapter 7 Trustee
P. O. Box 1299
Medina, OH 44258-1299

and

Office of the U.S. Trustee
H.M. Metzenbaum Courthouse
201 Superior Avenue East, Suite 441
Cleveland, Ohio 44114-1240

If you or your attorney do not take these steps, the court may decide that you do not oppose the relief sought in the Motion and may enter an order granting that relief. If you or your attorney responds in writing then you must attend the hearing scheduled for **3:00 PM on November 18, 2013**, in the **Courtroom, United States Bankruptcy Court, Ralph Regula Federal Building and US Courthouse, 401 McKinley Ave. SW, Canton, OH 44702.**

Date: October 24, 2013

/s/Lisa M. Barbacci
Lisa M. Barbacci
Chapter 7 Trustee
P.O. Box 1299
Medina, OH 44258-1299

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Motion and Notice was electronically transmitted on or about October 24, 2013, via the Court's CM/ECF system to the following who are listed on the Court's Electronic Mail Notice List:

Lisa M. Barbacci	barbaccibankruptcy@gmail.com
Lisa M. Barbacci	barbaccitrustee@gmail.com , lbarbacci@ecf.epiqsystems.com
John H Hornbrook	bankruptcy_attys@yahoo.com
United States Trustee	(Registered address)@usdoj.gov

And mailed by regular U.S. Mail on October 24, 2013, to the following parties:

See attached Creditor Matrix.

/s/Lisa M. Barbacci
Lisa M. Barbacci, Chapter 7 Trustee

CREDITOR MATRIX

In re Worrell
Case No. 12-61021

AAM 330 Georgetown Square Wood Dale, IL 60191-1890	AEP P.O. Box 24404 Canton, OH 44701-4404	Alliance Community Hospital 200 E. Rice Street Alliance, OH 44601
AFNI 404 BROCK DRIVE PO BOX 3427 Bloomington, IL 61702-3427	AFNI DEPT. 555 PO BOX 4115 Concord, CA 94524-4115	Alliance Asset Mgmt. 330 Georgetown Square, Suite 104 Wood Dale, IL 60191-1890
American Electric Power 1 AEP Way Hurricane, WV 25526-1231	ALLIANCE ONE PO BOX 3102 Southeastern, PA 19398-3102	American Collection Sys. PO BOX 27148 Columbus, OH 43227-0148
AULTMAN MSO DEPT. P.O. BOX 80690 CANTON, OH 44708-0690	Atlas Acquisitions LLC 294 Union St. Hackensack, NJ 07601-4303	AULTMAN HOSPITAL 2600 6TH STREET S.W. CANTON, OH 44710-1799
Birds and Blooms PO Box 5294 Harlan, IA 51593-0794	Byl Collection PO Box 569 Malvern, PA 19355-0569	Charter One Bank 1215 Superior Avenue Cleveland, OH 44114-3299
CAT Communications PO Box 13167 Roanoke, VA 24031-3167	Canton City Utilities PO Box 9955 Canton, OH 44711-0955	Capital Recovery PO Box 1170 Fairfax, VA 22038-1170
COMPUTER CREDIT PO BOX 5238 Winston Salem, NC 27113-5238	CBSC, Inc. PO Box 2818 North Canton, OH 44720-0818	Credit One Bank PO Box 98873 Las Vegas, NV 89193-8873
BANK ONE PAYMENT CENTER P.O. BOX 94014 PALATINE, IL 60094-4014	Charlene Ann Worrell James Lee Worrell Sr 11051 Melissa Ln Minerva, OH 44657-9609	Crescent Bank & Trust c/o Crescent Recovery, LLC PO Box 1097 Chesapeake, VA 23327-1097
Consumers National Bank 614 East Lincoln Way Minerva, OH 44657-2096	Credit Bureau of Stark Co. 6973 Promway Avenue N.W. Canton, OH 44720-7321	DISH Network Dept. 0063 Palatine, IL 60055-0001
City of Canton Income Tax Dept 424 Market Ave N PO Box 9940 Canton, OH 44711-0940	Delta Management Associates 100 Everett Ave., Ste. 600 PO Box 9191 Chelsea, MA 02150-9191	Experian 701 Experian Parkway PO Box 2002 Allen, TX 75013-2002
DOLLAR Financial Group 1436 Lancaster Avenue, Suite 210 Berwyn, PA 19312-1288	Dominion East OH Gas Co., P.O. Box 26785 Richmond, VA 23261-6785	Dominion East Ohio Gas P.O. Box 5759 Cleveland, OH 44101-0759
Drew Gonyias P O Box 2724 North Canton, OH 44720-0724	EQUIFAX PO BOX 740241 Atlanta, GA 30374-0241	FIRST CREDIT PO BOX 630838 Cincinnati, OH 45263-0838
Fidelity National Collections Div. Fidelity Properties Inc. P.O. Box 2055 Alliance, OH 44601-0055	Midland Funding LLC By its authorized agent Recoser, LLC 25 SE 2nd Ave, Suite 1120 Miami, FL 33131-1605	Portfolio Investments II LLC c/o Recovery Mgmt. Sys. Corp. 25 SE 2nd Avenue Suite 1120 Miami FL 33131-1605
Green Tree Financial 332 Minnesota St. Ste. E610 Saint Paul, MN 55101-1311	JP Morgan Chase 111 E. Wisconsin Ave. Milwaukee, WI 53202-4812	Katie Chawla, Esq. 110 Central Plaza S, Ste. 510 Canton, OH 44702-1413
MICHAEL MARGELEFSKY 709 MADISON AVE SUITE 302 TOLEDO, OH 43604-6624	Kevin Lhommedieu Esq 218 Cleveland Ave. S PO Box 24218 Canton, OH 44701-4218	RMS 240 EMERY ST PO BOX 20867 Lehigh Valley, PA 18002-0867

MODERNPATH
5620 SOUTHWYCK BLVD
Toledo, OH 43614-1501

OMNI ORTHOPAEDICS
PO BOX 36959
Canton, OH 44735-6959

ODALE
PO BOX 6001
Emmaus, PA 18098-0601

PREVENTION
PO BOX 5886
Harlan, IA 51593-1386

QUICK CASH
2757 CLEVELAND AVE NW
Canton, OH 44709-3391

Reader's Digest
PO Box 7825
Red Oak, IA 51591-0825

Revenue Reporting Services
3221 Southwestern Blvd #236
Orchard Park, NY 14127-1230

RODALE
PO Box 6001
Emmaus, PA 18098-0601

Stark Co. Dept. Job & Family Svcs.
221 3rd Street SE
Canton, Ohio 44702-1302

Stark County ER Physicians
PO BOX 20670
Canton, OH 44701-0670

The Repository
500 Market Ave. S
PO Box 9901
Canton, OH 44711-0901

Stark County Treasurer
110 Central Plaza South
Canton, OH 44702-1410

TRANSWORLD SYSTEMS
9655 Sweet Valley Dr., Bldg. D#2
Cleveland, OH 44125-4270

Woodland Diagnostic Imaging
12061 Collections Center Dr.
Chicago, IL 60693-0120

YU GI OH
PO BOX 6023
Jefferson City, MO 65102-6023

MQC COLLECTION
PO BOX 140700
Toledo, OH 43614-0700

NAFS
PO BOX 9027
Buffalo, NY 14231-9027

PCB
PO BOX 29917
Columbus, OH 43229-7517

PREVENTION
PO BOX 6002
Emmaus, PA 18098-0602

Radiology Services of Canton
PO Box 20238
Canton, OH 44701-0238

Receivable Management
PO Box 20787
Lehigh Valley, PA 18002-0787

Reiman Publications
PO BOX 5294
Harlan, IA 51593-0794

RMCB
4 Westchester Plaza, Ste. 110
Elmsford, NY 10523-3835

SBC
Bill Payment Center
Saginaw, MI 48663-0001

Stark County ER
PO Box 21020
Canton, OH 44701-1020

Stark County Anesthesia
Dept. 4020
Box 14806
Columbus, OH 43214

SUSANA LYKINS ESQ.
PO BOX 5480
Cincinnati, OH 45201-5480

Trans Union Corporation
P.O. Box 1000
Chester, PA 19016-1000

US Bank
608 Roaff Road SW
Canton, OH 44710-1556

MULLINAX FORD
5900 WHIPPLE AVE NE
North Canton, OH 44720

NEUROCARE
PO BOX 35006
Canton, OH 44735-5006

PAY MED SOLUTIONS
PO BOX 630842
Cincinnati, OH 45263-0842

Portfolio Recovery Associates LLC
PO Box 41067
Norfolk, VA 23541-1067

RBC
PO Box 1548
Mansfield, OH 44901-1548

Recovery Mgmt. Sys. Corp.
25 S.E. 2nd Avenue, Suite 1120
Miami, FL 33131-1605

Republic Services
2800 Erie St. S
Massillon, OH 44646-7915

Mercy Medical Center
1320 Timken Mercy Drive NW
Canton, OH 44708-2641

Revenue Reporting Services
21 Princeton Place
Orchard Park, NY 14127-2317

Transworld Systems
PO BOX 1864
Santa Rosa, CA 95402-1864

Sprint Nextel Correspondence
Attn: Bankruptcy Dept.
PO Box 7949
Overland Park, KS 66207-0949

THE CBE GROUP
PO BOX 2038
Waterloo, IA 50704-2038

Time Warner Cable Co.
5520 Whipple Ave. NW
Canton, OH 44720-7700

Verizon Cell Phone Svcs.
PO Box 920041
Dallas, TX 75392-0041